

CHECKLIST ENVIRONMENTAL ASSESSMENT

Project Name:	Mid-Rivers Communications (FTTH) Upgrade Easements and Amendments
Proposed Implementation Date:	Spring/Summer 2022
Proponent:	Mid-Rivers Communications
Location:	Section 6, Township 4 North, Range 27 East (Common Schools Trust) – Yellowstone County Section 34, Township 5 North, Range 26 East (Common Schools Trust) – Musselshell County Easement #6640 – Section 33, Township 6 North, Range 28 East (Common Schools Trust) – Yellowstone County Easement #6637 – Section 36, Township 7 North, Range 28 East (Common Schools Trust) – Musselshell County
County:	Yellowstone and Musselshell Counties

I. TYPE AND PURPOSE OF ACTION

The Proponent, Mid-Rivers Communications, is applying for new 16' wide easements and to amend their existing 16' wide easement on multiple parcels of State Trust Land in both Yellowstone and Musselshell Counties for the installation of underground fiber optic lines legally described as follows:

Section 6, Township 4 North, Range 27 East: New easement encompassing ±0.86 acres – Lots 1-7 Inc.

Section 34, Township 5 North, Range 26 East: New easement encompassing ±0.77 acres – E½

Section 33, Township 6 North, Range 28 East: Existing easement #6640 -abandon in place. New easement encompassing ±2.05 acres – ALL

Section 36, Township 7 North, Range 28 East: Existing easement #6637 amendment encompassing ±0.34 acres – ALL

The new and amended easements are part of a larger project where Mid-Rivers Communications is upgrading their telecommunications lines from their existing Musselshell Exchange serving rural areas in northern Yellowstone County and southern Musselshell County. The project consists of replacing outdated existing copper services with fiber optic lines to provide Fiber to the Home (FTTH) service in remote areas. The copper service lines will be abandoned in place with new fiber optic lines being installed. Deed #6637 will be amended to reflect the additional lines in the easement corridor. Deed #6640 will abandon the copper line in place and the new line will follow parallel to an existing private road with granting of the new easement. In total, 3 new easements will be granted, and 1 easement will be amended (see Exhibits A).

II. PROJECT DEVELOPMENT

1. PUBLIC INVOLVEMENT, AGENCIES, GROUPS OR INDIVIDUALS CONTACTED:

Provide a brief chronology of the scoping and ongoing involvement for this project.

No formal public scoping was performed by DNRC for this proposed project. Mid-Rivers Communications has obtained a Settlement of Damages form from the grazing lessees for each parcel of land.

2. OTHER GOVERNMENTAL AGENCIES WITH JURISDICTION, LIST OF PERMITS NEEDED:

The proponent is seeking the following required permits in relation to this project, but do not directly impact State Lands:

- Sage Grouse Permit
- 310 Permit – Yellowstone & Musselshell Conservation Districts
- Storm Water Pollution Prevention Plan (SWPPP) – MT DEQ
- Applicable county roads permit

All permits will be secured before construction on this project can commence.

3. ALTERNATIVES CONSIDERED:

Proposed Alternative: Issue the 3 new 16' easements and amend easement #6637 to Mid-Rivers Communications for the underground installation of fiber optic cable across four State Trust Land parcels in Musselshell and Yellowstone Counties.

No Action Alternative: Deny the issuance the 3 new 16' wide easements and amend easement #6637 to Mid-Rivers Communications for the underground installation of fiber optic cable across four State Trust Land parcels in Musselshell and Yellowstone Counties.

III. IMPACTS ON THE PHYSICAL ENVIRONMENT

- *RESOURCES potentially impacted are listed on the form, followed by common issues that would be considered.*
- *Explain POTENTIAL IMPACTS AND MITIGATIONS following each resource heading.*
- *Enter "NONE" if no impacts are identified or the resource is not present.*

4. GEOLOGY AND SOIL QUALITY, STABILITY AND MOISTURE:

Consider the presence of fragile, compactable or unstable soils. Identify unusual geologic features. Specify any special reclamation considerations. Identify any cumulative impacts to soils.

The route proposed for the easements are generally located parallel to existing public and private roadway systems. The land area is categorically considered Great Plains Mixedgrass Prairies interspersed Big Sagebrush Steppe and according to the NRCS Soil Survey, the area consists of mainly silty and clay loam soil types across the general project area. The fiber optic cable will be installed using the direct plow method that entails opening the ground with a plow blade pulled behind a tracked cable plow. This method creates a narrow opening in the soil, inserts the cable, covers the cable and smooths the disturbed soil in a single pass. This installation method is considered trenchless. Based on the proposed action and relatively short disturbance time for cable installation, no significant adverse impacts to geology and soils are expected by implementing the proposed action.

5. WATER QUALITY, QUANTITY AND DISTRIBUTION:

Identify important surface or groundwater resources. Consider the potential for violation of ambient water quality standards, drinking water maximum contaminant levels, or degradation of water quality. Identify cumulative effects to water resources.

Much of the work will occur outside drainage systems. However, the proposed easements will cross a few intermittent drainage streams where culverts are installed along the county and private roads. Any steep inclination into drainage will use a horizontal drill method to go below any drainage with water found and no disturbance will occur inside the drainage or streambed. No significant adverse impacts to water quality, quantity or distribution are anticipated by implementing the proposed action.

6. AIR QUALITY:

What pollutants or particulate would be produced? Identify air quality regulations or zones (e.g. Class I air shed) the project would influence. Identify cumulative effects to air quality.

There may be short-term isolated impacts from the equipment exhaust that is used to install the fiber optic cable. No significant adverse impacts to air quality are expected by implementing the proposed action.

7. VEGETATION COVER, QUANTITY AND QUALITY:

What changes would the action cause to vegetative communities? Consider rare plants or cover types that would be affected. Identify cumulative effects to vegetation.

The fiber optic cable is proposed to be installed using direct plow method that entails opening the ground with a plow blade pulled behind a tracked cable plow. This method creates a narrow opening in the soil, inserts the cable, covers that cable and smooths the disturbed soil in a single pass. This installation method is considered trenchless. The area disturbed by the trenching activity and from vehicle travel could have short term impacts on vegetation. The proponent has secured lessee settlement forms from all lessees on all sections in case of impact to cropland or grazing land. No significant long-term adverse impacts to vegetative cover, quantity or quality are expected as a result of implementing the proposed alternative.

8. TERRESTRIAL, AVIAN AND AQUATIC LIFE AND HABITATS:

Consider substantial habitat values and use of the area by wildlife, birds or fish. Identify cumulative effects to fish and wildlife.

A variety of big game (antelope, deer, elk and mountain lions), small mammals, raptors, songbirds and turkeys traverse the subject sections. The proposed project activities could temporarily disrupt wildlife movement and patterns. Due to the relatively short project duration and nature no significant adverse impacts to terrestrial, avian and aquatic life and habitats are expected to occur as a result of implementing the proposed alternative.

9. UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES:

Consider any federally listed threatened or endangered species or habitat identified in the project area. Determine effects to wetlands. Consider Sensitive Species or Species of special concern. Identify cumulative effects to these species and their habitat.

A search of the Montana Natural Heritage Program database indicated the following species of concern have been observed with the general area:

- **Spotted Bat** (*Euderma maculatum*), **Long-eared Myotis** (*Myotis evotis*), **Hoary Bat** (*Lasiurus cinereus*), **Black-tailed Prairie Dog** (*Cynomys ludovicianus*), **Townsend's Big-eared Bat** (*Corynorhinus townsendii*), **Little Brown Myotis** (*Myotis lucifugus*), **Long-legged Myotis** (*Myotis volans*), **Pallid Bat** (*Antrozous pallidus*), **Eastern Red Bat** (*Lasiurus borealis*)
- **Pinyon Jay** (*Gymnorhinus cyanocephalus*), **Brewer's Sparrow** (*Spizella breweri*), **Golden Eagle** (*Aquila chrysaetos*), **Greater Sage-Grouse** (*Centrocercus urophasianus*), **Lewis's Woodpecker** (*Melanerpes lewis*), **Cassin's Finch** (*Haemorhous cassinii*), **Red-headed Woodpecker** (*Melanerpes erythrocephalus*), **Clark's Nutcracker** (*Nucifraga columbiana*)
- **Greater Short-horned Lizard** (*Phrynosoma hernandesi*)

Bat Roosts (Non-cave) have been discovered in the area. There are also potential species of concern that have the possibility of having habitats or being observed in the surrounding area.

The following sections are within the Sage Grouse General Habitat and the proponent has completed and submitted a consultation in both Musselshell County and Yellowstone County:

- Section 6, Township 4 North, Range 27 East
- Section 34, Township 5 North, Range 26 East
- Section 33, Township 6 North, Range 28 East

While these species may be present in the general project area, no direct or lasting impacts are expected to occur to sensitive species. Due to the short duration and minimal disturbance, the project will have minimal impact to the environment and habitat on State Land.

10. HISTORICAL AND ARCHAEOLOGICAL SITES:

Identify and determine effects to historical, archaeological or paleontological resources.

No cultural and paleontological resources have been documented nor identified in the project corridor segments. Additionally, construction is going to occur adjacent to existing public and private roads where disturbances have previously occurred.

A "Small Scale and Negative Inventory/Monitoring Report" was filed by the DNRC archeologist and no inventories were found in the project area. The proposed project will have *No Effect* to *Antiquities* as defined under the Montana State Antiquities Act. Formal reports of findings are available through the DNRC and the Montana State Historic Preservation Officer. No additional archaeological or paleontological investigative work is recommended.

11. AESTHETICS:

Determine if the project is located on a prominent topographic feature or may be visible from populated or scenic areas. What level of noise, light or visual change would be produced? Identify cumulative effects to aesthetics.

The proposed action would result in the installation of underground fiber optic cable adjacent and parallel to established private and county roads. Once the easement areas are rehabbed from the installation disturbance, the only indication that there is an underground fiber optic line would be from any above-ground warning markers. No significant adverse impact to aesthetics is expected as a result of implementing the proposed alternative.

12. DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AIR OR ENERGY:

Determine the amount of limited resources the project would require. Identify other activities nearby that the project would affect. Identify cumulative effects to environmental resources.

No significant adverse impacts to environmental resources of land, water, air or energy are expected to occur as a result of implementing the proposed alternative.

13. OTHER ENVIRONMENTAL DOCUMENTS PERTINENT TO THE AREA:

List other studies, plans or projects on this tract. Determine cumulative impacts likely to occur as a result of current private, state or federal actions in the analysis area, and from future proposed state actions in the analysis area that are under MEPA review (scoped) or permitting review by any state agency.

There are no other known studies or future actions are planned for these Trust land parcels.

IV. IMPACTS ON THE HUMAN POPULATION

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| <ul style="list-style-type: none">• <i>RESOURCES</i> potentially impacted are listed on the form, followed by common issues that would be considered.• Explain <i>POTENTIAL IMPACTS AND MITIGATIONS</i> following each resource heading.• Enter "NONE" if no impacts are identified or the resource is not present. |
|---|

14. HUMAN HEALTH AND SAFETY:

Identify any health and safety risks posed by the project.

No significant adverse impacts to human health and safety would occur as a result of implementing the proposed alternative.

15. INDUSTRIAL, COMMERCIAL AND AGRICULTURE ACTIVITIES AND PRODUCTION:

Identify how the project would add to or alter these activities.

No significant adverse impacts to industrial, commercial and agricultural activities and production would occur as a result of implementing the proposed alternative.

16. QUANTITY AND DISTRIBUTION OF EMPLOYMENT:

Estimate the number of jobs the project would create, move or eliminate. Identify cumulative effects to the employment market.

The proposed action will have no significant impact on the quantity and distribution of employment.

17. LOCAL AND STATE TAX BASE AND TAX REVENUES:

Estimate tax revenue the project would create or eliminate. Identify cumulative effects to taxes and revenue.

The proposed action will have no adverse impact on tax revenue.

18. DEMAND FOR GOVERNMENT SERVICES:

Estimate increases in traffic and changes to traffic patterns. What changes would be needed to fire protection, police, schools, etc.? Identify cumulative effects of this and other projects on government services

The implementation of the proposed alternative will not generate any additional demands on governmental services.

19. LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS:

List State, County, City, USFS, BLM, Tribal, and other zoning or management plans, and identify how they would affect this project.

Implementation of the proposed alternative will not conflict with any locally adopted plans.

20. ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES:

Identify any wilderness or recreational areas nearby or access routes through this tract. Determine the effects of the project on recreational potential within the tract. Identify cumulative effects to recreational and wilderness activities.

There may be small areas that have reduced, but not restricted access on parcels with public due to the areas of construction. The short duration of the project will have minimal impact to recreational users and the timing of the project is outside of higher use hunting seasons. The proposed project will have no long-term effect on access to and quality of recreational and wilderness activities.

21. DENSITY AND DISTRIBUTION OF POPULATION AND HOUSING:

Estimate population changes and additional housing the project would require. Identify cumulative effects to population and housing.

No significant adverse impacts to density and distribution of population and housing would occur as a result of implementing the proposed alternative.

22. SOCIAL STRUCTURES AND MORES:

Identify potential disruption of native or traditional lifestyles or communities.

There are no native, unique or traditional lifestyles or communities in the vicinity that would be impacted by the proposed alternative.

23. CULTURAL UNIQUENESS AND DIVERSITY:

How would the action affect any unique quality of the area?

The proposed alternative will not have a significant adverse impact on cultural uniqueness or diversity.

24. OTHER APPROPRIATE SOCIAL AND ECONOMIC CIRCUMSTANCES:

Estimate the return to the trust. Include appropriate economic analysis. Identify potential future uses for the analysis area other than existing management. Identify cumulative economic and social effects likely to occur as a result of the proposed action.

The Common Schools Trust Permanent Fund will benefit by getting the following one-time fees:

Section 06, Township 4 North, Range 27 East: New ±0.86-acre Easement – **\$430.00**

Section 34, Township 5 North, Range 26 East: New ±0.77-acre Easement – **\$385.00**
Section 33, Township 6 North, Range 28 East: New ±2.05-acre Easement – **\$1,025.00**
Section 36, Township 7 North, Range 28 East: Amended ±0.34-acre Easement D#6637 – **\$145.00**

The total the Common Schools Trust would benefit is: **\$1,985.00**

EA Checklist Prepared By:	Name: Joe Holzwarth	Date: 15 February 2022
	Title: Area Planner, Southern Land Office	

V. FINDING

25. ALTERNATIVE SELECTED:

The proposed alternative has been selected and it is recommended that the State issues new easements and amends the existing easement to allow Mid-Rivers Communications to install new underground fiber optic line in their proposed easement corridors on the following Trust land parcels:

Section 06, Township 4 North, Range 27 East: New ±0.86 Easement
Section 34, Township 5 North, Range 26 East: New ±0.77 Easement
Section 33, Township 6 North, Range 28 East: New ±2.05 Easement
Section 36, Township 7 North, Range 28 East: Amend existing Easement D#6637

26. SIGNIFICANCE OF POTENTIAL IMPACTS:

The potential for significant adverse impacts to the Trust lands listed above are minimal due to the nature of the proposed action which would entail the issuing of new and amended easements and installation of underground fiber optic cable. The installation and disturbance is expected to be completed in a short time-frame. The easements are located adjacent to existing public and private roads. There are no natural features that could produce adverse impacts or species of concern occupying the parcels that are expected to be impacted by implementing the proposed action.

27. NEED FOR FURTHER ENVIRONMENTAL ANALYSIS:

☐ EIS
 ☐ More Detailed EA
 ☒ No Further Analysis


EA Checklist Approved By:	Name: Jeff Bollman
	Title: Area Manager, Southern Land Office
Signature: 	Date: 2/24/2022

Exhibit A – Overview of Easement Locations

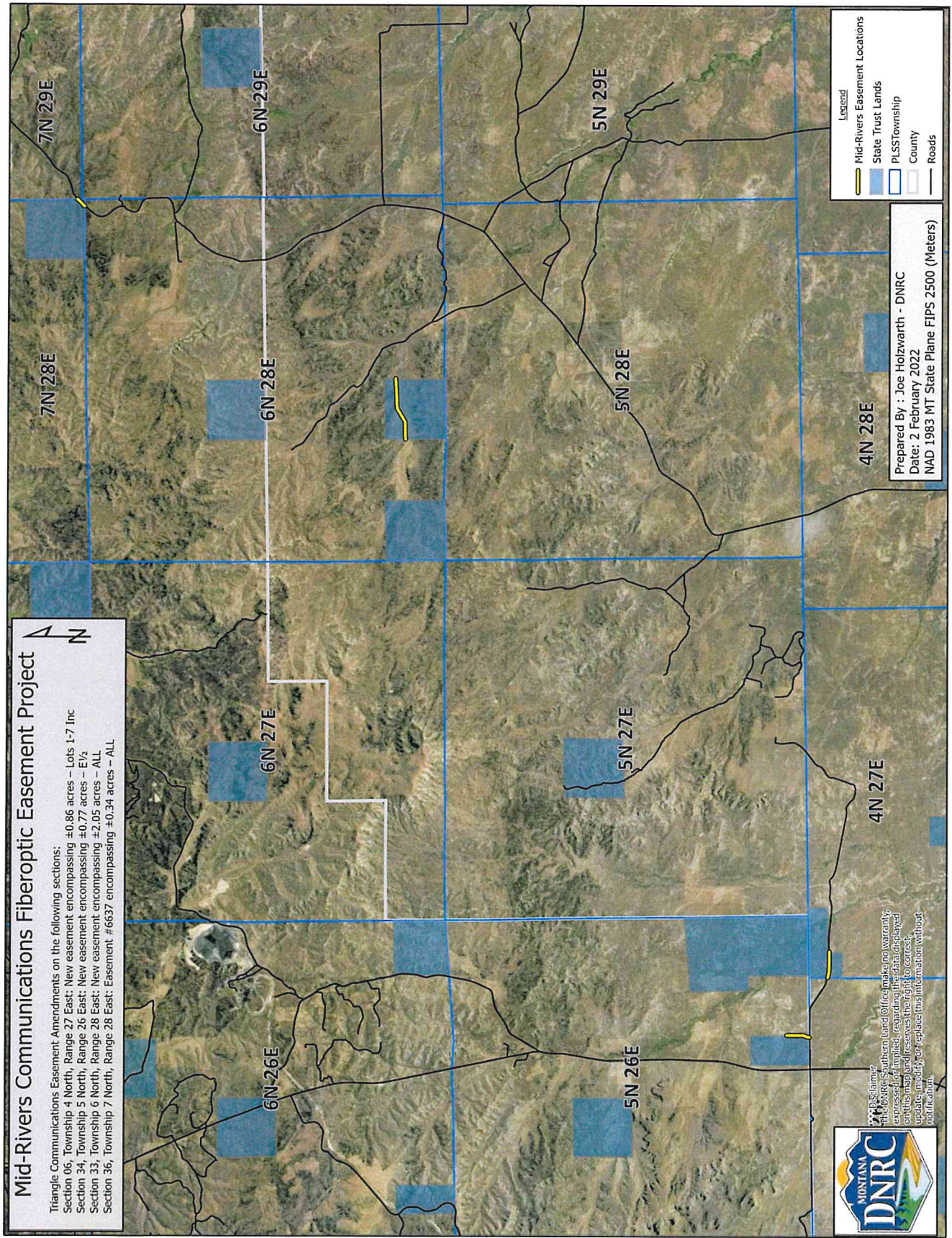
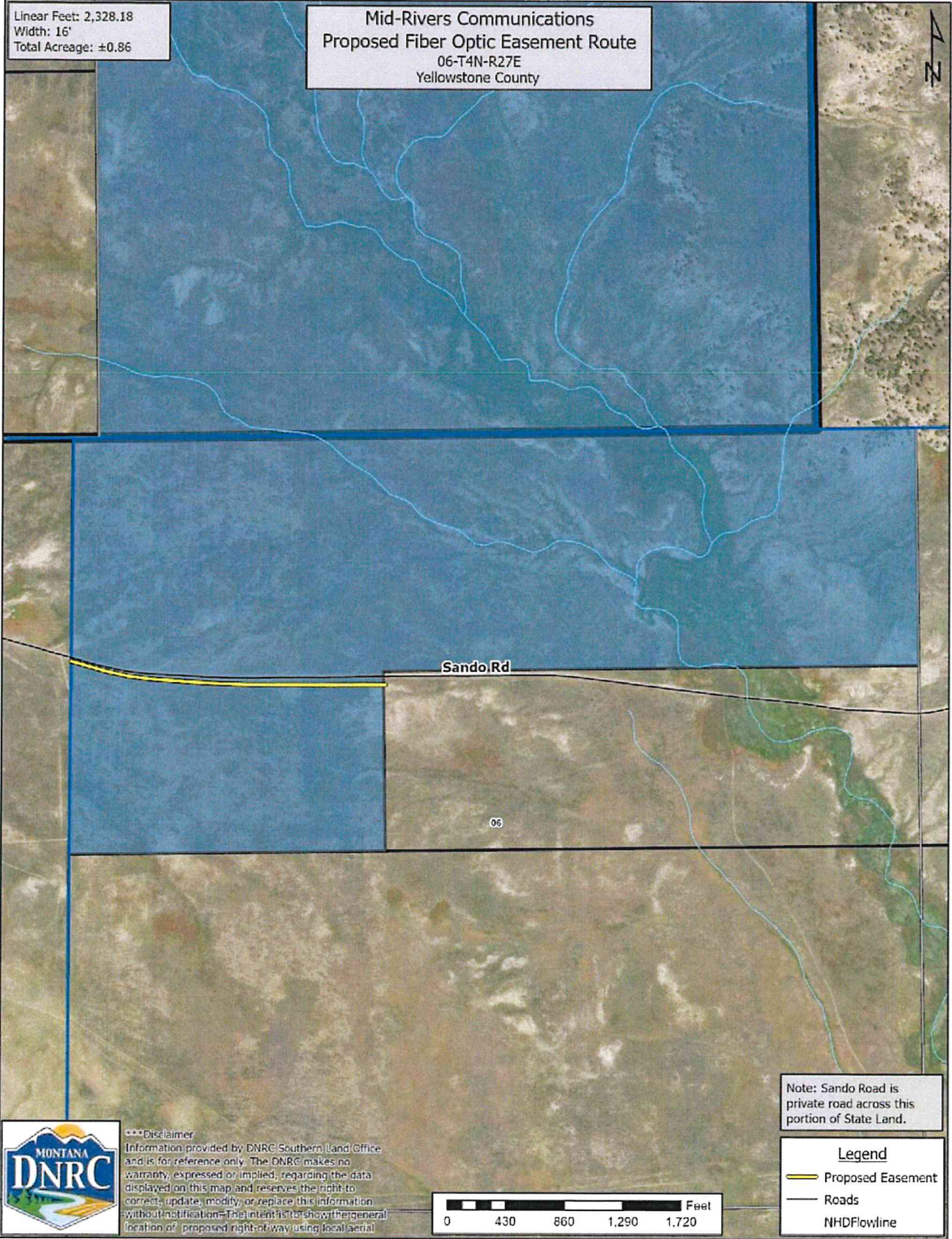
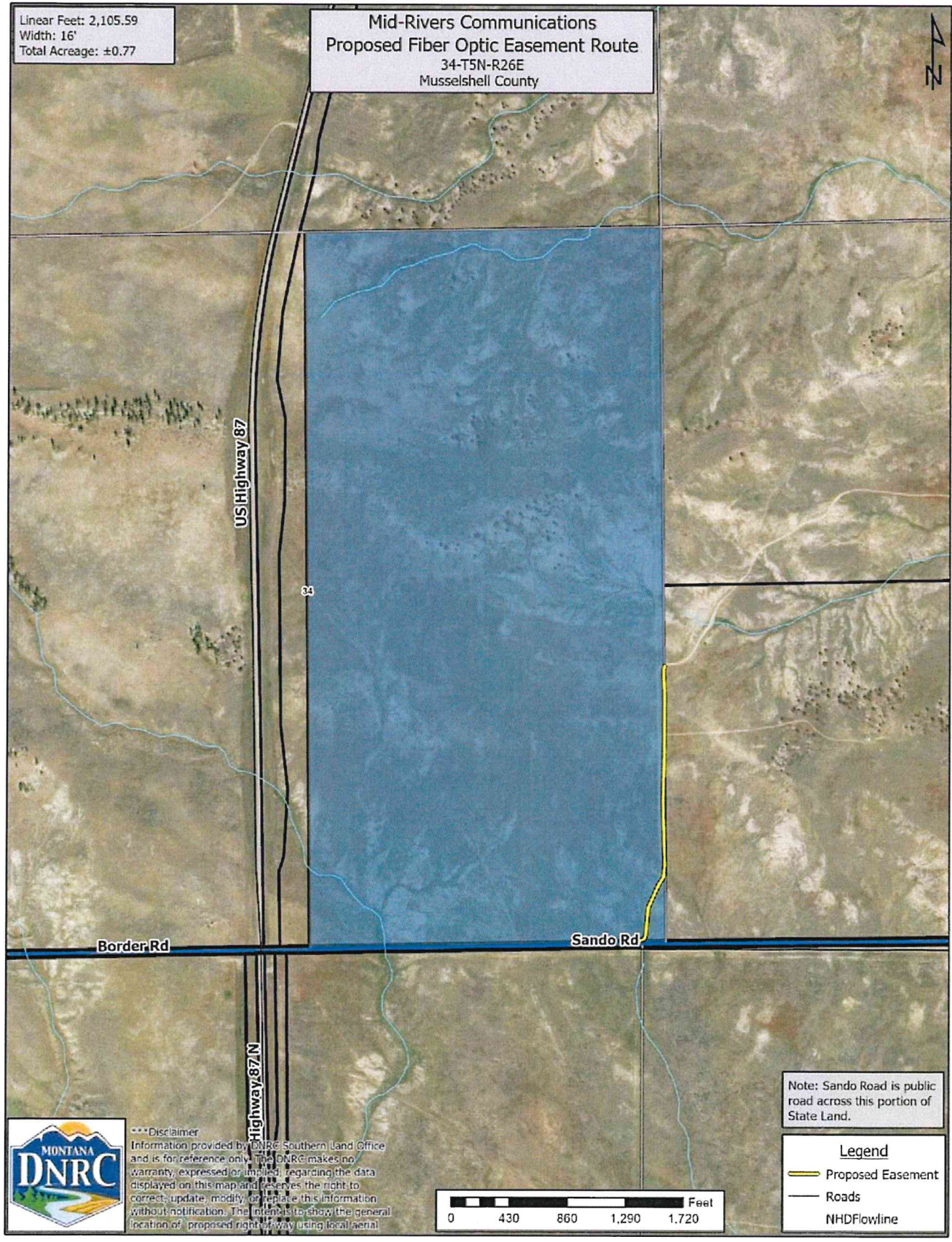


Exhibit B – Easement Locations





Linear Feet: 5,591.46'
Width: 16'
Total Acreage: ±2.05

Mid-Rivers Communications
Proposed Fiber Optic Easement Route
33-T6N-R28E
Yellowstone County

Marsh Rd
N

